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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/996,486	11/27/2001	Krishna Sundaresan	081862.P251	2696

7590 03/22/2007
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EXAMINER

ENG, DAVID Y

ART UNIT	PAPER NUMBER
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2155

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/22/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

09/996,486

Applicant(s)

SUNDARESAN ET AL.

Examiner

DAVID Y. ENG

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 March 2007.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

The amendment filed on 3/5/2007 has been entered. The active claims are 1-28 of which 1, 10, 17 and 25 are independent claims.

Claims 1-28 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Scope of limitation of the following is not clear:

1. "destination endpoint for a soft permanent virtual circuit" in line 6 of claim 1. It is not clear what the end point of a circuit is. Other independent claims have similar defect.
2. "encoding said address change into a SIG field" in line 8 of claim 1. It is not clear what is being encoded. It is not clear into what it is encoded. Note that a (SIG) field is nothing but a designated section of a packet. It is not the result of an encoding. Other independent claims have similar defect.

Claims 1-9 and 17-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicants' admitted prior art in view of Eriksson (USP 6,243,384).

Claims 10-16 and 25-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Eriksson (USP 6,243,384) in view of Rochberger (USP 6,208,623).

Details of the rejections have already been set forth in the Office action mailed 2/18/2005. The details are incorporated herein by reference thereto.

In the communication filed on 3/5/2007, Applicants submit that the limitation "encoding address change into a SIG field in a PNNI topology state element (PTSE)" for a soft permanent virtual circuit (SPVC) is patentable distinct and non-obvious in view of the applied prior art. The Examiner disagrees. Firstly, scope of limitation of the recitation

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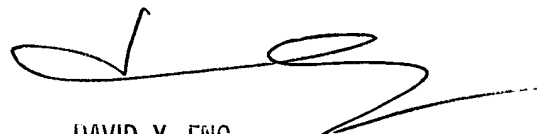
is not clear. See the Section 112, second paragraph rejection above. Secondly, when the claims are given the broadest interpretation, the claims merely recite transmitting an address change notification in a field of a packet from one node to another in response to receiving an address change notification by the one node. There is no recitation as to how the notification of change of address is transmitted differently in a SIG field than in other field, in a PNNI network than in other network, whether or not the destination node comprises a soft permanent virtual circuit. The claims do not even positively recite step for automatically updating a source node in a PNNI ATM network in response to the address change message in a SIG field let alone how differently the address change message is encoded into a SIG field, how differently the message is extracted from a SIG field than in other field and how differently the source node is automatically updated. In other words, the manner of notifying address change by transmitting the notification from one node to another as recited in the claims is no different than the applied prior arts. As explain in the Office action mailed 2/18/2005, the applied references meet all the claim limitation. Applicants fail to explain and the claims fail to show why transmitting an address change message in a SIG field of a packet in a PNNI network is patentable distinct. The notification of address change as recited in the claims is no different than the applied references. Merely reciting encoding an address change into a SIG field in a PNNI topology state element is not sufficient to overcome the rejection. It is not clear why SIG field needs specific encoding and what the message is encoded into.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to DAVID Y. ENG whose telephone number is 571-272-3984. The examiner can normally be reached on M-F from 8AM to 3PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, SALEH NAJJAR, can be reached on 571-272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'David Y. Eng', with a stylized flourish at the end.

DAVID Y. ENG
PRIMARY EXAMINER